

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SAIM SARWAR., :
: .
Plaintiff, : **ORDER**
: .
v. : 20 CV 9430 (VB)
: .
SAI RAM GROUP LLC, :
Defendant. :
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On November 12, 2020, plaintiff commenced the instant action against defendant Sai Ram Group LLC.

On December 8, 2020, plaintiff docketed a proof of service indicating service on defendant on November 23, 2020. (Doc. #7). Accordingly, defendant had until December 14, 2020, to respond to the complaint. See Fed. R. Civ. P. 12(a)(1)(A)(i).

As of December 21, 2020, defendant had not answered, moved, or otherwise responded to the complaint. Thus, that same day, the Court ordered plaintiff to seek a certificate of default as to defendant by December 28, 2020, and thereafter to move, by order to show cause and in accordance with the Court's Individual Practices, for default judgment against defendant by January 11, 2021. The Court warned in bold and underlined typeface that if plaintiff failed to satisfy either deadline, the Court may dismiss the case without prejudice for failure to prosecute or failure to comply with court orders. Fed. R. Civ. P. 41(b). (Doc. #8).

To date, plaintiff has neither obtained a certificate of default nor moved, by order to show cause and in accordance with the Court's Individual Practices, for default judgment against defendant. Accordingly, the Court extends to January 20, 2021, plaintiff's time to seek a certificate of default, and extends to February 3, 2021, plaintiff's time to move, by order to show cause and in accordance with the Court's Individual Practices, for default judgment against defendant. **If plaintiff fails to comply with either deadline, the Court WILL dismiss this case without prejudice for failure to prosecute or failure to comply with court orders. Fed. R. Civ. P. 41(b).**

Dated: January 13, 2021
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge